Preser

App. F. IX-4

1933.
(Mysore)

File No. 33 33
Serial Nos. 1 to 2

Previous References

Mys I S 1-27-1-2
to 3 to 4.

Later References

General and Revenue Secretariat.

Serial Nos. 2

Part B for August 33

SUBJECT.

Praying for a review of the G.O. order requesting
his 981 2/Mys I S 1) 2 & 14-12 2) So far
as not to insist upon putting up a stone tablet
near Mosque at Vitalapur Maddur Tk

Messrs MS Hussain Sahb
& Brother
Vitalapur Maddur Tk

his 148 & 7 & - 33

Informing that New request
cannot be complied with

408 33-34

General and Revenue Secretariat — Mug File No. 33 of 1933-4 — [App. F. III—2

Serial No.

1. Petition dt 18.7.33 filed before V. Chamaraja Bahadur B.A. Advocate and others city on behalf of Najamam Md. Hussain Sahib Patel of Vilacapur Village Madoor Taluk praying for a modification of G.O. No. 981-2/Mug 151-27-2 dt 14.12.27 to the extent of not insisting on a Stone-Tablet put up in front of the Mosque built by the Villagers in the circumstances explained therein.

(1) It is respectfully submitted that the request of the petitioners is not tenable as putting up a Stone-Tablet is usually insisted in all cases of new Mosque or worship.

(2) For orders

Pl see

(3) Your attention is invited to the rules in Mug File No. 151-27 Sls 3-4 of 1927 put up and to the Members orders at para 5 (Flag Q). The petrs will, if approved, be told that their request cannot be complied with

31/7/33

Pl seen)

(4) AS 31.7.33

2nd Mar)

5) Jpr 31/7

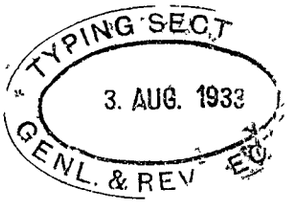
1/18

Office of the Second Member of Council 31 JULY 1933 No. 986

NOTE—Contn. Sheet

WD 70—GBPM—60,000—13-8-31.

Mhg File No. of 1933-34 | General and Rev Secretariat



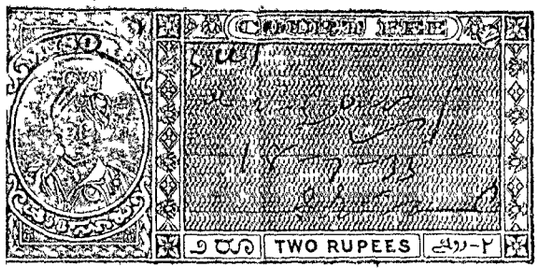
Copy to be directed

GS 2/8/3

Encl No 148 dy 7-8-33 to Messrs Mahomed Hussain Sahib and Brothers Sahib of Vilakudi Madura Taluk dealing with the Grant of their request referred to therein

No 149 dy 7-8-33 to Mrs V. Chari Advocate for the petitioners forwarding the above for information -

No 150 dy 7-8-33 to the Mysore Commissioner forwarding for information Copy of the above Endorsement -



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE AT BANGALORE. Muz 33-33-1

Mizrai Review No. 4 of 33 - 34.

PETITIONERS:-- 1. Yajaman Mahomed Hussain Sab, son of Yasin Sab, aged about 70 years Mohamedan.

2. Budan sab, son of Hussain Sab, aged about 65 years, Mohamedan

Both living in the village Vitalapur Kundanakuppe Dhaklay, Maddur Taluk.

====

Under Sections 38 and 39 of the Mysore - Religious and Charitable institutions Regulation, the petitioners pray that the records connected - with the Government order No. 981-2 Muz/151-27-2 dated 14th December 27, now lying with the Amildar Maddur Taluk be called for and the aforesaid order directing the petitioners putting up a stone tablet before the Mosque in the village be reviewed on the following among other grounds:--

1. The petitioners are the permanent residents of the village Vitalapur, Maddur Taluk which is inhabited wholly by Mohamadans about 40 houses in number and there is no other individual in the village of any other caste or creed. The first petitioner is the Yajaman of the Mohamedans in the village and he with the second petitioner has therefore filed this petition on behalf of all the villagers.

2. There

2. There had been a mosque for the worship of the villagers in this village from times immemorial, but as it became insufficient for the worship of the villagers as the village grew, the villagers including the petitionersbuilt a new and big masque in the village on survey No.76 about 12 years ago at a cost of more than Rs.12000/-.

3. There never has at any time, nor is there now any stone Tablet before the old or the new mosque now being used by the villagers with any inscription that Hindu processions might pass before the Mosque without any obstruction. The Chief reason being there never was, nor is now any necessity for the same as the village is entirely populated by Mohammadans only.

4. The Maseed which has cost the petitioners and the villagers more than about Rs.12000/- has been made use of a place of worship from the last about 12 years without any obstruction or any breach of peace occuring, because no Hindu from a neighbouring village takes it into his head to come to the village entirely populated by Mahomadans and carrying on a procession there.

5. The Government on the recommendation of the Lower Muzrai authorities seems to have passed an order dated 14/12/27, and the Deputy Commissioner has on the strength of this order directed that ~~the~~ a tablet has to be put up before the Mosque by his order dated 15/5/33 copy of which produced herewith, in spite of the unwillingness of all the villagers.

6. The

The petitioners have been agitating and putting in petitions and giving their statements before the Amildar Maddur Taluk on more than one occasion that they are unwilling to ~~up~~ put up a tablet and that by not erecting a tablet as required, no-body would be harmed as there is no person in the village of any other caste, no-body's interest suffers, no injustice done to any body, and there can be no breach of peace. That on the other hand if a tablet is put up people from neighbouring villages might purposely come to this village and carry on Hindu procession before the mosque intentionally to provoke the Mahmedans of the village and then it may lead to a breach of the peace

7. There has been no such stone tablet put up either before the old or the new Mosque and the petitioners are living from ancient times peace-fully. It is therefore highly unjust to direct the petitioners -villagers to put up a tablet before their only mosque in the village for anticipated future contingencies expecially when there are no such, from hundreds of years, and when there is not a single individual in the village who is a non-Mohamedan.

8. The Amildar Madur has taken the state-ment of the villagers recently on 1/4/33 and the after
Deputy Commissioner has ~~therefore~~ passed the accompanying order.

9.The

9. The petitioners therefore pray that the records connected with this case be called for issuing simultaneously a stay order directing Lower Muzrai authorities not to take further steps in the erection of the stone tablet before the Mosque in question, and the Government order dated 14/12/27 ordering putting up of the tablet be cancelled after hearing the petitioners as it is highly just and equitable in the interests of the petitioners and the ancient custom given effect to.

Bangalore City,
18th July 33.

Petitioners.

Advocate for petitioners.

TWO RUPEES

Before the Government of H. H. the Maharaja of Mysore.

~~In the Court of the~~

Bangalore.

Munsif Reiner Case No. of 1933 —1934.

~~Plaintiff~~ petitioners		Defendant
1. Yajaman Mahomd Hussain Sahb.	VS	
2. Budan Sahib.		

I/WE Yajaman Mahomd Hussain Sahb and Budan Sahb the petitioners.

abovenamed do hereby nominate and appoint Mr. V. CHANNAIYA, B.A., B.L. Advocate, No 70. Chickpet Bangalore City. to be my/our Counsel in the above case and I we do hereby empower the said Advocate to appear for me/us and act on my/our behalf in the above case, to take all steps which may be necessary on my/our behalf arising out of or in connection with the above case either during its progress or after its decision, to make all necessary applications therein, to prosecute or defend any proceedings which may arise therefrom, to sign and subscribe his name on my/our behalf to any document which he may deem proper, to execute any decree that may be passed therein in my/our favour, to receive from the Court all sums of money which may become payable to me/us therein, on my/our behalf to grant receipts or other sufficient discharge for the same, to withdraw, compromise or refer to arbitration the said suit, to appoint a substitute or substitutes, and perform all acts relating to or connected therewith and to represent me/us in matters relating to the same. And I/we do hereby agree to ratify and confirm whatsoever the said Advocate shall lawfully do or cause or procure to be done by virtue of these presents.

Syed Mahmud Hussain Sahb.

BANGALORE,
18/7/ 1933.

Accepted

V. Channaiya

Advocate for petitioners

Signed before me and personally known to me

V. Channaiya

Advocate

ಆಜ್ಞೆ ಅಭಿಪ್ರಾಯಪಟ್ಟಿರುವ
ಪ್ರಸ್ತಾಪಿಸಿದ ರೀತಿಯಲ್ಲಿ ಶ್ರೀರಂಗ ಪಟ್ಟಣದ ಜುಮ್ಮಾ ಮಸೀದಿಯ ಎದುರು
ಸಾರ್ವಜನಿಕ ರಸ್ತೆಯಲ್ಲಿ ಯಾವುದೇ ಅಡ್ಡಿ ಆತಂಕವಿಲ್ಲದೆ

ಸಾರ್ವಜನಿಕ ರಸ್ತೆಯಲ್ಲಿ ಶ್ರೀರಂಗ ಪಟ್ಟಣದ ಜುಮ್ಮಾ ಮಸೀದಿಯಿಂದ ಬಂದ ಪತ್ರದಲ್ಲಿ
ಪ್ರಸ್ತಾಪಿಸಿರುವಂತೆ ಮೆರವಣಿಗೆ ಮಸೀದಿಯ ಮುಂಭಾಗದಲ್ಲಿ ಸಂಗೀತ ವಾದ್ಯಗಳನ್ನು
ನುಡಿಸದೆ ಹೋಗಲು ಆದೇಶ :—

Order

The order of Government dated 14.12.19:
directing the pulling up of the tablet by the
Mahomedans in front of the masque should be
enforced.

15-5-33

sd/ CS Kuppaswamiyengar
Deputy Commissioner
Mysore

Copy applied on 14/5/33
Copy ready on 20/5/33
Copy delivered on 31/5/33

	Kannada	English
No of words	20	20

Copying fee 0-1-6 + 0-2-0 } 0-4-6
Examn fee 0-0-4 + 0-1-2 }
0-1-10 + 0-2-8

Copied by — HN Venkatachalaiah
Examined by — MS Narayana Rao

"True copy"
Illegible
Mysore

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 3rd August 1933.

No. 148

Muz 33-33-2 **ENDORSEMENT.**

Messrs. Mahamad Hussain Sab and Budan Sab of Vitalapur, Maddur Taluk.

With reference to their petition dated 18th July 1933 filed by Mr.V.Channaiya, Advocate, praying that the Muzrai Authorities may be instructed not to insist on the putting up of a stone tablet in a conspicuous part of the front portion of the Anicut newly constructed in Vitalapur Village, the petitioners are informed that their request cannot be complied with.

By Order,

SD/- A.N.Raghavachar,

Financial Secretary to Government.

Memo No. 15-b/Muz Bangalore, dated 3rd August 1933.

Copy of the above is forwarded with compliments to the Muzrai Commissioner in Mysore for information.

By Order,

For Financial Secretary to Government.

SUBJECT .....

.....

.....

Section Pub.

File No. 33-33

Serial No. 2

Diary No. of letter replied to ....

No. 148

To Messrs Md Hussain Sahib and Budan Sahib Nos.
Vitalapuram. Madura Dt.

General and Revenue Secretariat

( )

the 193 .

Date of issue 7/8/33

Signed by Mr. G. Mudaliar for Asst.

Write refer to their petn dy 18/7/33 filed by Mr. V. Chamraja, advocate, praying ~~for~~ ~~Issue of instructions to~~ that the ~~Collector~~ Govt authorities may be instructed not to insist on the ~~production~~ putting up of a Stone-tablet in a conspicuous part of the ~~front portion of the house~~ new constructions in Vitalapuram Village, ~~praying~~ ~~Md Hussain Sahib to direct~~ Sahib of Vitalapuram ~~now petitioner~~ the petitioners. File case in favour of Govt.

List of enclosures.....

Copied by.....

Examined by.....

Note ~~from~~ this regarding
the Complaint etc.

2/6

149 7/8/33 From Asst Secy
Orig & two Cys Chamanga
Rpt No 1 of 70. Chicapel, Banjaloe
City, transmitting the
Resolutions.

15.0

2/8

150/Mos 7/8/33 From Asst Secy
Orig & ~~two~~ Cys for information
~~Extract from Minutes of the Council~~

No. 0.

2/8